

## Message Text

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ACTION DLOS-05

INFO OCT-01 IO-10 ISO-00 AF-06 ARA-06 EA-06 EUR-12 NEA-09

TRSE-00 FEA-01 ACDA-05 AGR-05 AID-05 CEA-01 CEQ-01

CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DODE-00 DOTE-00

EB-07 EPA-01 ERDA-05 FMC-01 H-02 INR-07 INT-05

JUSE-00 L-02 NSAE-00 NSC-05 NSF-01 OES-03 OMB-01

PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06 OIC-02 /145 W

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R 162018Z APR 75

FM USMISSION GENEVA

TO AMEMBASSY MUSCAT

SECSTATE WASHDC 2138

S E C R E T GENEVA 2654

FROM USDEL LOS

E.O. 11652:

TAGS: PLOS

SUBJECT: OMANI POSITION CONCERNING STRAITS USED FOR INTERNATIONAL  
NAVIGATION

REF: GENEVA 2288

1. AMBASSADOR MOORE, AND DELOFF HODGSON MET WITH MINISTER  
AL JAMALI TO DISCUSS STRAITS USED FOR INTERNATIONAL NAVIGA-  
TION AND TO SEEK METHODS TO RESOLVE THE DIFFERENCES WHICH HAVE  
DEVELOPED BETWEEN OUR RESPECTIVE POSITIONS. AMB MOORE  
EMPHASIZED THE ABSOLUTE NEED FOR THE UNITED STATES TO HAVE  
UNIMPEDED TRANSIT THROUGH STRAITS USED FOR INTERNATIONAL  
NAVIGATION AS A MATTER OF PRINCIPLE AND NOT TO HAVE LIMITA-  
TIONS PLACED UPON STRAITS WITH CERTAIN GEOGRAPHICAL CHARACTER-  
ISTICS. HE THEN ENQUIRED WHAT PROBLEMS THE OMANI DELEGATION  
PERCEIVED IN STRAITS AND HOW WE MIGHT HELP TO NARROW DIFFERENCES.

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THE FIRST ITEM MENTIONED CONCERNED POLLUTION WITH REFERENCE TO

THE HEAVY SHIP TRAFFIC BEARING PETROLEUM FROM THE GULF TO ELSEWHERE IN THE WORLD. THE OMANI MINISTER THEN ADDED, "AND THE SECURITY PROBLEM, OF COURSE." AMBASSADOR MOORE STRESSED THAT THE POLLUTION PROBLEMS COULD BE MET THROUGH INTERNATIONAL STANDARDS, THE UTILIZATION OF TRAFFIC SEPARATION SCHEMES, AND THE ESTABLISHMENT OF LIABILITY IN THE EVENT OF ACCIDENT. COASTAL STATES COULD SUGGEST ANY SPECIAL REQUIREMENTS NEEDED FOR INTERNATIONAL ADOPTION OF IMCO.

2. OMANI DELEGATION THEN RAISED ISSUE THAT TRANSIT PASSAGE WOULD BE GUARANTEED FOR COMMERCIAL VESSELS BUT THAT WARSHIPS AND SHIPS OF SPECIAL CHARACTERISTICS MIGHT BE SEPARATED OUT. AMBASSADOR MOORE POINTED OUT THAT THIS TYPE OF DISCRIMINATION WOULD BE UNACCEPTABLE TO THE UNITED STATES FOR A WIDE VARIETY OF REASONS. OMANI THEN STATED THEIR PREOCCUPATION WAS WITH SOVIET WARSHIPS VISITING IRAQI PORTS AND NOT THOSE OF THE UNITED STATES WITH WHOM OMAN HAD A LONG HISTORY OF FRIENDSHIP AND EXCELLENT RELATIONS. AMB MOORE POINTED OUT THE NEED TO AVOID ANY "DESTABILIZATION" OF U.S. AND SOVIET RELATIVE CAPABILITIES AND THAT ACTIONS AGAINST SOVIETS COULD HAVE REPERCUSSIONS FOR THE ENTIRE STRATEGIC BALANCE.

3. ISSUE THEN TURNED TO SPECIAL REGIMES FOR "ENCLOSED OR SEMI-ENCLOSED SEA." AMB MOORE AGAIN POINTED OUT THE DIFFICULTIES INHERENT IN THIS TYPE OF APPROACH AND ASKED DELOFF HODGSON TO ELABORATE. POINTING OUT THE LACK OF PRECISION IN THE TERMINOLOGY, HODGSON NOTED THAT AN EXPANSIVE TREATMENT OF THE CONCEPT WOULD VIRTUALLY ELIMINATE ALL PERIPHERAL SEAS FROM CONCEPT OF FREE NAVIGATION. THE EFFECT WOULD BE SEVERELY LIMITING THROUGHOUT THE ENTIRE WORLD LEAVING ONLY THE OPEN OCEANS IN AN UNFETTERED POSITION.

4. OMANI DELEGATES THEN NOTED THAT THEY HAD STRICT INSTRUCTIONS TO HOLD TO THE CONCEPT EXPRESSED IN CARACAS AND THAT THE U.S. APPROACH THE GOO DIRECTLY TO CHANGE THE PRESENT POLICY CONCERNING STRAITS.

5. WHILE THE CONVERSATIONS WERE FRIENDLY, OPEN AND  
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FRANK, IT IS OBVIOUS THAT OMANI DELEGATION INSTRUCTIONS LEAVE NO ROOM FOR COMPROMISE AND THAT CAPITAL CONTROLS THIS VITAL ISSUE. UTILIZING MATERIAL IN REFTEL IF DEPT APPROVES, THE EMBASSY IS REQUESTED TO AGAIN APPROACH THE GOO DIRECTLY TO EXPLAIN FULLY THE VITAL CONCERN OF THE UNITED STATES AND OTHER MARITIME POWERS' PLACE ON THE STRAITS ISSUE AS ESSENTIAL FOR A SUCCESSFUL CONCLUSION OF AN LOS TREATY. WITHOUT SUCH ARTICLES IN ANY "PACKAGE", THE UNITED STATES,

OF COURSE, COULD NOT BE A PARTY TO THE CONVENTION. IN  
VIEW THAT HALF OF THE CONFERENCE TIME HAS PASSED, US LOS  
DELEGATION PLACES GREATEST IMPORTANCE ON EFFORT TO GAIN  
ARAB SUPPORT FOR FREE TRANSIT REGIME AND IT IS FELT THAT  
OMAN IS A KEY STATE AS A CONSEQUENCE OF ITS POSITION  
ASTRIDE HORMUZ.

6. FOR ESKIN, D/LOS: PLEASE SEEK DEPT APPROVAL ASAP.  
DALE

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NNN

## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW OF THE SEA, POLICIES, NEGOTIATIONS, ARCHIPELAGOES, STRAITS  
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**Disposition Approved on Date:**  
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**Disposition Date:** 28 MAY 2004  
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